

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

an intelligent controller having associated therewith a means for accessing said programming material in response to receiving said coded signal; and

a display unit for presenting said programming material.

REMARKS

The Examiner rejected claims 168, 293, and 296 under 35 U.S.C. 103(a) as being unpatentable over Wellner U.S. Patent No. 5,640,193 (hereinafter referred to as "Wellner") in view of Li U.S. Patent No. 5,797,330 (hereinafter referred to as "Li"); Malewicki et al. U.S. Patent No. 5,447,042 (hereinafter referred to as "Malewicki"); Bravman et al. U.S. Patent No. 5,866,888 (hereinafter referred to as "Bravman"); and Wang U.S. Patent No. 5,477,042 (hereinafter referred to as "Wang"). Similarly, the Examiner rejected claims 169-292, 294-295, and 297-298 under 35 U.S.C. 103(a) as being unpatentable over Wellner in view of Li, Malewicki, Bravman, Wang, and the general teachings of the prior art of record.

Applicant has amended claim 168 to add "material" which was inadvertently omitted from the originally submitted claim 168. Additionally, Applicant thanks the Examiner for granting a September 9, 2002 telephone interview with the Applicant. As

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agreed, Applicant has amended the specification to properly cross reference related applications and to claim the May 25, 1994 filing date of Application Serial No. 08/250,799. An effective filing date of May 25, 1994 predates the filing date of all references cited by the Examiner with the exception of the following six references: Montanari et al. U.S. Patent No. 5,478,990 (hereinafter referred to as "Montanari"); Poland U.S. Patent No. 4,825,058 (hereinafter referred to as "Poland"); Blanford U.S. Patent No. 4,868,375 (hereinafter referred to as "Blanford"); Malewicki et al. U.S. Patent No. 5,108,052 (hereinafter referred to as "Malewicki"); Wang U.S. Patent No. 5,477,042 (hereinafter referred to as "Wang"); and Handly U.S. Patent No. 5,397,410 (hereinafter referred to as "Handly"). Consequently, all references cited by the Examiner, with the exception of the six aforementioned patents, are not proper references against this application.

Regarding the six remaining references, all six references relate to traditional bar code systems -- not the present invention, wherein a machine recognizable feature contained within a document is utilized to access programming material. In fact, none of the references disclose any method for accessing programming material. Additionally, pending claims 168-223, 227-

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276, 293-294, and 296-297 do not claim use of a bar code system or bar code system components. Consequently, Applicant submits that the present invention is distinguished over the remaining six references.

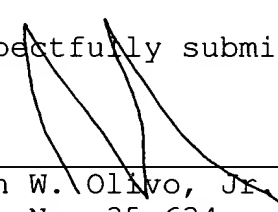
In light of the foregoing amendment and remarks, Applicant submits that claims 168-298 are in condition for allowance.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that the present invention represents a patentable contribution to the art and the application is in condition for allowance. Early and favorable action is accordingly requested.

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Respectfully submitted,



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